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10/764,779	01/26/2004	Janine Louise Helms	200207303-1	9738

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Road
Mail Stop 35
FORT COLLINS, CO 80528

EXAMINER	
NGUYEN, ALLEN H	
ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
ipa.mail@hp.com
jessica.l.fusek@hp.com

Office Action Summary	Application No.	Applicant(s)	
	10/764,779	HELMS ET AL.	
	Examiner	Art Unit	
	Allen H. Nguyen	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14 and 25-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,8-12 and 25-29* is/are rejected.

7)☒ Claim(s) *6,7,13 and 14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

- This office action is responsive to the following communication:

  Amendment filed on 06/15/2009.

- Claims 1-14, 25-29 are currently pending in the application.

Response to Arguments

1. Applicant's arguments with respect to claims 1-14, 25-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-5, 8-12, 14, 25, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Guillemin (US 7,447,764).

Regarding claim 1, Guillemin '764 discloses a print auditing network (10, fig. 1), comprising:

a client (Host device 18, fig. 1) that originates a print job for printing (i.e., a

plurality of job requests from the host devices, receiving, by the peripheral device; see Abstract), the print job including parametric data associated with the print job (i.e., the processing circuitry receives and accesses a job request and a respective identifier from the host device; Col. 9, lines 25-30);

a printer (Peripheral device 12, fig. 1) in data communication with the client (Fig. 1) that is employed to print the print job (i.e., a peripheral device configured to perform job operations with respect to a plurality of host devices comprises communications circuitry adapted to couple with a plurality of different host devices; Col. 1, lines 45-55), the print job being transmitted from the client to the printer (i.e., a plurality of job requests to initiate performing of job operations with respect to the host devices; Col. 1, lines 54-56);

a print job aggregator (Monitoring device 16, fig. 1) in data communication with the client and the printer (i.e., the host devices 18, the peripheral device 12, and the monitoring devices 16 are all coupled to a common network; Col. 10, lines 30-35, fig. 1); a client agent (i.e., CPU) executed in the client to provide a first report (i.e., the processing circuitry 34 of Monitoring device 16 receives and accesses a job request and a respective identifier from the host device; col. 9, lines 25-45 and col. 8, lines 40-50, column 10, lines 35-40) of the parametric data associated with the print job to the print job aggregator (the processing circuitry 34 communicates the job estimation to the host device requesting the services; col. 9, lines 40-50);

a print agent (Processing Circuitry 24, fig. 2) executed in the printer to provide a second report of the parametric data associated with the print job (processing circuitry

24 may monitor the number of compact disks written to, a number of pages transmitted by facsimile, a number of sheets copied, a number of sheets scanned, etc; see col. 7, lines 12-17) to the print job aggregator after the print job is finished printing (processing circuitry 24 is arranged to formulate a plurality of messages relative to the performing of the operations: by peripheral device 12. The generated messages are provided in a format for appropriate communication to monitoring device 16; see col. 7, lines 17-25 and col. 8, lines 18-35), where the print job aggregator stores the first and second reports of the parametric data in a memory (i.e., executable code within memory 36; see col. 8, lines 24-30 and col. 9, lines 60-67).

Regarding claim 3, Guillemin '764 discloses the print auditing network (10, fig. 1), wherein the parametric data is included in a header associated with the print job (i.e., host devices 18 may be arranged to provide appropriate identifiers within header information of respective print jobs; col. 6, lines 10-15).

Regarding claim 4, claim 4 has been analyzed and rejected w/r to claim 3 above.

Regarding claim 5, Guillemin '764 discloses the print auditing network (10, fig. 1), wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data (unique identifiers which identify in the communicating devices in the network 14, col. 5, lines 60-67 and col. 6, lines 1-10) and the globally unique identifier is the same in the first, second and third reports (the host devices 18,

the peripheral device 12, and the monitoring devices 16 are all coupled to a common network, such as the Internet. Therefore, unique identifiers include internet protocol (IP) addresses of respective devices should be the same to generates reports for the appropriate entities; see col. 5, lines 60-67 and col. 8, lines 20-30).

Regarding claim 8, claim 8 is the method claim of device claim 1. Therefore, method claim 8 is rejected for the reason given in device claim 1.

Regarding claim 9, Guillemin '764 discloses the method (10, fig. 1), further comprising updating the parametric data of the print job in the printer during printing (Processing circuitry 34 may compile and process received messages from peripheral devices 12 with respect to host devices 18 to generate reports for the appropriate entities such as number of pages printed are updating every time printed; see col. 8, lines 25-40).

Regarding claims 10, 11, 12, claims 10, 11, 12 are the method claims of device claims 2, 3, 5, respectively. Therefore, method claims 10, 11, 12 are rejected for the reason given in device claims 2, 3, 5.

Regarding claim 25, Guillemin '764 discloses a print auditing network (10, fig. 1), comprising:

a client (Host device 18, fig. 1) that originates a print job for printing (i.e., a

plurality of job requests from the host devices, receiving, by the peripheral device; see Abstract), the print job including parametric data associated with the print job (i.e., the processing circuitry receives and accesses a job request and a respective identifier from the host device; Col. 9, lines 25-30);

a printer (Peripheral device 12, fig. 1) in data communication with the client (Fig. 1) that is employed to print the print job (i.e., a peripheral device configured to perform job operations with respect to a plurality of host devices comprises communications circuitry adapted to couple with a plurality of different host devices; Col. 1, lines 45-55), the print job being transmitted from the client to the printer (i.e., a plurality of job requests to initiate performing of job operations with respect to the host devices; Col. 1, lines 54-56);

a print job aggregator (Monitoring device 16, fig. 1) in data communication with the client and the printer (i.e., the host devices 18, the peripheral device 12, and the monitoring devices 16 are all coupled to a common network; Col. 10, lines 30-35, fig. 1);

means (i.e., CPU) in the client for providing a first report (i.e., the processing circuitry 34 of Monitoring device 16 receives and accesses a job request and a respective identifier from the host device; col. 9, lines 25-45 and col. 8, lines 40-50) of the parametric data associated with the print job to the print job aggregator (the processing circuitry 34 communicates the job estimation to the host device requesting the services; col. 9, lines 40-50; column 10, lines 35-40);

means (Processing Circuitry 24, fig. 2) in the printer for providing a second report of the parametric data associated with the print job (processing circuitry 24 may monitor

the number of compact disks written to, a number of pages transmitted by facsimile, a number of sheets copied, a number of sheets scanned, etc; see col. 7, lines 12-17) to the print job aggregator after the print job is finished printing (processing circuitry 24 is arranged to formulate a plurality of messages relative to the performing of the operations: by peripheral device 12. The generated messages are provided in a format for appropriate communication to monitoring device 16; see col. 7, lines 17-25 and col. 8, lines 18-35), where the print job aggregator stores the first and second reports of the parametric data in a memory (i.e., executable code within memory 36; see col. 8, lines 24-30 and col. 9, lines 60-67).

Regarding claim 27, Guillemin '764 discloses the print auditing network (10, fig. 1), wherein the parametric data is included in a header associated with the print job (i.e., host devices 18 may be arranged to provide appropriate identifiers within header information of respective print jobs; col. 6, lines 10-15).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2, 26, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guillemin (US 7,447,764) in view of Kuroyanagi (US 6,597,469).

Regarding claim 2, Guillemin '764 does not explicitly show the print auditing network, further comprising: a print server in data communication with the client, the printer and the print job aggregator; and a print server agent executed in the print server to provide a third report of the parametric data associated with the print job to the print job aggregator.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Kuroyanagi '469. In particular, Kuroyanagi '469 teaches the print auditing network (Fig. 1), further comprising:

a print server (100, fig. 1) in data communication (Network 10, fig. 1) with the client (20, fig. 1), the printer (200, fig. 1) and the print job aggregator (300, fig. 1);

a print server agent (i.e., CPU) executed in the print server to provide a third report of the parametric data associated with the print job to the print job aggregator (i.e., print server 100 is in data communication with the manage server 300; see col. 8, lines 50-55 and col. 9, lines 1-15).

In view of the above, having the system of Guillemin and then given the well-established teaching of Kuroyanagi, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Guillemin as taught by Kuroyanagi to include: the print auditing network, further comprising: a print server in data communication with the client, the printer and the print job aggregator; and a print server agent executed in the print server to provide a third report of the parametric data associated with the print job to the print job aggregator, since

Kuroyanagi stated in col. 1, lines 40-50 that such a modification would ensure a network is provided with a print server which receives from the network a print job requested by each client assigned beforehand a specific print job management number. The print server instructs the composite function apparatus to output the received print job, and the print server itself manages the number of print outputs of the print job in correspondence with the client print job management number.

Regarding claim 26, Guillemin '764 does not explicitly show the print auditing network, further comprising:

a print server in data communication with the client, the printer and the print job aggregator; and means in the print server for providing a third report of the parametric data associated with the print job to the print job aggregator.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Kuroyanagi '469. In particular, Kuroyanagi '469 teaches the print auditing network (Fig. 1), further comprising:

a print server (100, fig. 1) in data communication (Network 10, fig. 1) with the client (20, fig. 1), the printer (200, fig. 1) and the print job aggregator (300, fig. 1);

means (i.e., CPU) in the print server for providing a third report of the parametric data associated with the print job to the print job aggregator (i.e., print server 100 is in data communication with the manage server 300; see col. 8, lines 50-55 and col. 9, lines 1-15).

In view of the above, having the system of Guillemin and then given the well-established teaching of Kuroyanagi, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Guillemin as taught by Kuroyanagi to include: a print server in data communication with the client, the printer and the print job aggregator; and means in the print server for providing a third report of the parametric data associated with the print job to the print job aggregator, since Kuroyanagi stated in col. 1, lines 40-50 that such a modification would ensure a network is provided with a print server which receives from the network a print job requested by each client assigned beforehand a specific print job management number. The print server instructs the composite function apparatus to output the received print job, and the print server itself manages the number of print outputs of the print job in correspondence with the client print job management number.

Regarding claim 28, claim 28 has been analyzed and rejected w/r to claim 27 above.

Regarding claim 29, Guillemin '764 discloses the print auditing network (10, fig. 1), wherein a globally unique identifier is associated with each of the first, second, and third reports of the parametric data (unique identifiers which identify in the communicating devices in the network 14, col. 5, lines 60-67 and col. 6, lines 1-10) and the globally unique identifier is the same in the first, second and third reports (the host devices 18, the peripheral device 12, and the monitoring devices 16 are all coupled to a

common network, such as the Internet. Therefore, unique identifiers include internet protocol (IP) addresses of respective devices should be the same to generates reports for the appropriate entities; see col. 5, lines 60-67 and col. 8, lines 20-30).

6. Claims 6-7, 13-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 6, the prior art of the record fails to show the print auditing network, wherein:

the client agent provides the first report of the parametric data to the print job aggregator by transmitting a copy of the header of the print job to the print job aggregator before the print job is transmitted from the client to the print server;

the print server agent provides the third report of the parametric data to the print job aggregator by transmitting a copy of the header to the print job aggregator before the print job is transmitted to the printer;

the printer agent provides the second report of the parametric data to the print job aggregator by transmitting the header to the print job aggregator after the print job is finished printing.

Regarding claim 7, the claim is allowable for the reasons given in claim 6.

Regarding claim 13, the prior art of the record fails to show the method, wherein:

the transmitting of the first report of the parametric data from the client to the print job aggregator further comprises transmitting a copy of the header of the print job from the client to the print job aggregator; and

the transmitting of the third report of the parametric data from the print server to the print job aggregator further comprises transmitting a copy of the header of the print job from the print server to the print job aggregator; and

the transmitting of the second report of the parametric data from the printer to the print job aggregator further comprises transmitting a copy of the header of the print job to the print job aggregator.

Regarding claim 14, the claim is allowable for the reasons given in claim 13.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mizuki (US 5,623,675) discloses printing system, and method of receiving and processing interrupt request in printer.

Hirakawa et al. (US 2002/0141776) discloses a digital copier capable of accepting a print job from another terminal through a network.

Leiman et al. (US 7,072,067) discloses sending the print jobs from the source computers to a print server and sending the print jobs from the print server to output managers connected to the printers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is (571)270-1229. The examiner can normally be reached on 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KING Y. POON can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Allen H. Nguyen/
Examiner, Art Unit 2625